

CAPONE & KEEFE, P.C.  
60 Highway 71  
Spring Lake Heights, N.J. 07762  
(732) 528-1166  
Attorney for the Debtors



Order Filed on March 1, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

IN RE

**Darryl B. Monticello**

Debtor(s)

: UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

: CHAPTER 13

: CASE NO. **16-25565 (KCF)**

Hearing Date:

**ORDER TO EXPUNGE PROOF OF CLAIM  
OF 302-304 HAWTHORNE AVENUE, LLC**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

**DATED: March 1, 2018**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

(Page 2)

Debtor(s): **Darryl Monticello**

Case No.: **16-25565 (KCF)**

Caption of Order: **Order to Expunge Proof of Claim 302-304 Hawthorne Avenue, LLC**

Upon consideration of the Motion filed by, Darryl Monticello, through his attorney, Marc C. Capone seeking entry of an Order to Expunge Proof of Claim of 302-304 Hawthorne Avenue, LLC, and the Court having considered the moving papers and all objections, if any, as hereinafter set forth, and for good cause shown, it is

**ORDERED** that the claims set forth below are hereby expunged:

Claim No.: 1	302-304 Hawthorne Avenue, LLC	\$10,618.20
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**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Darryl B. Monticello  
Debtor

Case No. 16-25565-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Mar 01, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2018.

db Darryl B. Monticello, 419 Arbutus Dr, Point Pleasant Beach, NJ 08742-3102

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 03, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
SOLELY AS TRUSTEE HEREUNDER AND NOT IN ITS INDIVIDUAL CAPACITY FOR THE BENEFIT OF THE  
CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICAT dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com

John R. Morton, Jr. on behalf of Creditor Ally Servicing LLC ecfmail@mortoncraig.com,  
mortoncraigecf@gmail.com

John R. Morton, Jr. on behalf of Creditor Ally Capital ecfmail@mortoncraig.com,  
mortoncraigecf@gmail.com

Marc C. Capone on behalf of Debtor Darryl B. Monticello mcapone@caponeandkeefe.com,  
docs@caponeandkeefe.com

Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
SOLELY AS TRUSTEE HEREUNDER AND NOT IN ITS INDIVIDUAL CAPACITY FOR THE BENEFIT OF THE  
CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICAT rsolarz@kmlawgroup.com

TOTAL: 6